IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

United States of America,) 8:10CR410
Plaintiff,) 0.10CR410)
vs.) DETENTION ORDER)
Gelver Ixcot-Lopez,)
Defendant.)
A. Order For Detention	
After conducting a detention hearing pursuant to Reform Act, the Court orders the above-named 18 U.S.C. § 3142(e) and (I).	• • • • • • • • • • • • • • • • • • • •
B. Statement Of Reasons For The Detention The Court orders the defendant's detention X By a preponderance of the evidence conditions will reasonably assure the required. By clear and convincing evidence the conditions will reasonably assure the community.	because it finds: that no condition or combination of appearance of the defendant as at no condition or combination of
and carries a maximum p (b) The offense is a crime of (c) The offense involves a na	rvices Report, and includes the following: e offense charged: migration ID documents no lawfully o be a US citizen; false ital security number is a serious crime benalty of 5 years imprisonment. violence.
may affect wheth The defendant ha	<u> </u>

DETENTION ORDER - Page 2

	<u>X</u> 	The defendant has no substantial financial resources. The defendant is not a long time resident of the community. The defendant does not have any significant community ties. Past conduct of the defendant:
		Tast conduct of the defendant.
	(b) At the ti	The defendant has a history relating to drug abuse. The defendant has a history relating to alcohol abuse. The defendant has a significant prior criminal record. The defendant has a prior record of failure to appear at court proceedings. The defendant was on: Probation
		Parole Release pending trial, sentence, appeal or completion of sentence.
		The defendant is an illegal alien and is subject to deportation. The defendant is a legal alien and will be subject to deportation if convicted. The Bureau of Immigration and Customs Enforcement (BICE) has placed a detainer with the U.S. Marshal.
	<u>X</u>	Other: Substantial ties with Guatemala
(4)	The nature and release are as	d seriousness of the danger posed by the defendant's follows:
(5)		
	relied on the fo § 3142(e) whice _ (a) That no assure to safety o	that the defendant should be detained, the Court also bllowing rebuttable presumption(s) contained in 18 U.S.C. In the Court finds the defendant has not rebutted: condition or combination of conditions will reasonably the appearance of the defendant as required and the fany other person and the community because the Court at the crime involves: (1) A crime of violence; or (2) An offense for which the maximum penalty is life imprisonment or death; or (3) A controlled substance violation which has a maximum penalty of 10 years or more; or

DETENTION ORDER	- Page 3
	(4) A felony after the defendant had been convicted of two or more prior offenses described in (1) through (3) above, and the defendant has a prior conviction for one of the crimes mentioned in (1) through (3) above which is less than five years old and which was committed while the defendant was on pretrial release.
(b)	That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community because the Court finds that there is probable cause to believe: (1) That the defendant has committed a controlled substance violation which has a maximum penalty of 10 years or more. (2) That the defendant has committed an offense under 18 U.S.C. § 924(c) (uses or carries a firearm during

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

 The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and

dangerous weapon or device).

- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: November 24, 2010.

BY THE COURT:

and in relation to any crime of violence, including a crime of violence, which provides for an enhanced punishment if committed by the use of a deadly or

s/ F. A. Gossett United States Magistrate Judge